

GUIDANCE NOTES FOR CANDIDATES AND AGENTS

Electoral Registration Service



PLYMOUTH
CITY COUNCIL

PLYMOUTH CITY COUNCIL ELECTIONS THURSDAY 3 MAY 2012

PART A

1. INTRODUCTION

This guide covers each of the main steps towards standing as a candidate in the Plymouth City Council Elections taking place on Thursday 3 May 2012.

2. BOUNDARIES

New ward boundaries were contested at the 2003 elections. The city is now divided into 20 wards, with 57 elected members. This comprises seventeen 3-member wards, and three 2-member wards.

The City of Plymouth (Scheme for Elections) Order 2002 came into force on the 31st December 2002 and has introduced elections by thirds.

What does this mean?

Full elections were held in May 2003, followed by a cycle of elections by thirds. The first elections by thirds were held in 2004, the second in 2006, the third in 2007 and further elections were held in 2008, 2010 & 2011. It will be observed that there were no elections held in 2005 or 2009, when County Council Elections were held (specified as fallow years in the above order).

3. THE RETIREMENT SCHEDULE FOR COUNCILLORS FROM 2007 ONWARDS

Ward	2007	2008	2009	2010	2011	2012
Budshead	1	1	0	1	1	1
Compton	1	1	0	1	1	1
Devonport	1	1	0	1	1	1
Drake	1	0	0	1	1	0
Efford & Lipson	1	1	0	1	1	1
Eggbuckland	1	1	0	1	1	1
Ham	1	1	0	1	1	1
Honicknowle	1	1	0	1	1	1
Moor View	1	1	0	1	1	1
Peverell	1	1	0	1	1	1
Plympton Chaddlewood	0	1	0	1	0	1
Plympton Erle	1	1	0	0	1	1
Plympton St. Mary	1	1	0	1	1	1
Plymstock Dunstone	1	1	0	1	1	1

Ward	2007	2008	2009	2010	2011	2012
Plymstock Radford	1	1	0	1	1	1
St.Budeaux	1	1	0	1	1	1
St.Peter & the Waterfront	1	1	0	1	1	1
Southway	1	1	0	1	1	1
Stoke	1	1	0	1	1	1
Sutton and Mount Gould	1	1	0	1	1	1

PART B

1. ELECTION OFFICIALS

Electoral Services Manager – Nigel Spilsbury (Telephone 304861)

For all electoral registration, postal voting and general election enquiries please contact:

Electoral Registration Service, Floor 1, Room 13, Civic Centre, Plymouth PL1 2AA

- Electoral Services Officer: Tamsin Thurgood – 01752 304866
- Electoral Services Assistant: Joanne Rowe – 01752 304936
- Electoral Services Assistant: Mike Saunders – 01752 304936

Email: ero@plymouth.gov.uk

2. NOMINATION OF CANDIDATES

How to become a candidate for election to the City Council

The following is a brief outline of how to become a candidate for election to Plymouth City Council.

Step 1

Check that you are qualified to stand as a candidate. Providing you are a Plymouth voter, live or work in Plymouth twelve months prior to an election and are 18 years of age or over you are qualified. However there are a number of disqualifications for instance, if you work for the City Council you are not allowed to stand for election. Further details of qualification and disqualification are printed in the Candidates' Consent to Nomination.

Step 2

Decide on the description (if any) that you wish printed on the ballot paper. Any description must not exceed six words in length and if you use a description other than Independent the description must be registered and authorised in accordance with the Political Parties, Elections and Referendums Act 2000.

Step 3

Obtain a Nomination Pack from the Returning Officer. Forms are enclosed in this pack.

Step 4

Complete a nomination paper and give consent to nomination. The Nomination paper must state the full names, home address of the candidate and be signed by a proposer, seconder and eight others who live and are registered to vote in the ward for which you are standing. These signatories cannot sign other candidate's nomination papers.

Step 5

Submit your nomination to the Returning Officer before the required deadline. You can appoint another person to act as your election agent. If no such appointment is made the candidate will be deemed to be acting as their own agent.

At the close of nominations all candidates will be sent a letter confirming whether or not the nomination is valid.

The Returning Officer will prepare ballot papers on the basis of valid Nomination Papers submitted.

You're Nomination Paper, the Candidates consent to nomination and Certificate of Authorisation for using a political party description/emblem must be completed and submitted to the Returning Officer **no later than 12 noon on Wednesday 4 April 2012**. Please note that this is a statutory deadline.

It is advisable to submit these papers for checking well in advance of the deadline, to allow time for any unintended errors to be corrected or a fresh nomination to be submitted.

Nomination papers are open to public inspection after the close of nominations until the day before polling day. **Nomination papers will not be available for inspection after this time.**

A Statement of Persons Nominated will be published on the Council notice board by **noon on Tuesday 10 April 2012**. The statement will also be published on the City Council's website as soon as possible after this time.

3. CANDIDATE WITHDRAWAL

If you change your mind and wish to withdraw from the election you may do so if you deliver written notice to the Returning Officer by **noon on Wednesday 11 April 2012**. This notice must be signed by the candidate and witnessed.

A notice of withdrawal is included in your nomination pack.

4. APPOINTMENT OF AN ELECTION AGENT

A candidate may appoint an election agent and must submit written notice to the Returning Officer, no later than **noon on Wednesday 11 April 2012**.

The election agent is responsible for the conduct and management of your election campaign. In particular your election agent will be responsible for ensuring that your declarations and return of election expenses are properly completed and delivered to the Returning Officer.

A notice of appointment of election agent is included in your nomination pack.

5. ABSENT VOTING

Provisional and final copy of the Postal and Proxy Voters lists can be supplied to Candidates, Election Agents, Elected representatives and local and national political parties only, on **written** demand. If you require a copy please complete the request form included in this pack.

Postal voting

Anyone included on the register may apply for a postal vote:

- No reason is required from the applicant
- No attestation is required on the application form
- Ballot papers may be posted abroad (but with the short election timetable it is considered to be impractical sending postal votes abroad – see proxy Voting)
- Applicants must, however, supply their date of birth and specimen signature in the application

You can obtain a supply of application forms from the Electoral Registration Service.

The statutory deadline for the receipt of postal voting application forms is **5pm on Wednesday 18 April 2012**.

Postal ballot papers are likely to be issued on Monday 23 April 2012 and delivered on Tuesday 24 April 2012.

These arrangements are subject to change but will be confirmed after all Election Agents have been appointed.

Proxy Voting

Proxy Voters must make an application -

- For an “indefinite” or “set” period.
 - Must supply their date of birth and specimen signature
 - Must be attested, and
 - May only be made for particular reasons (refer to chart below):

Reason for application	Who may attest
Suffering from a physical incapacity	Registered Doctor, Nurse, Dentist, Optician, Chemist, Osteopath, Chiropractor, Psychologist or Christian Science Practitioner (must be receiving care from)
Living in a Residential or Nursing Home	Head of a care home or person in charge
Resident in Sheltered Housing Accommodation	Resident warden of Sheltered Housing Accommodation
Occupation, Service or Employment	Employer
Attending an educational course (College/University/or other)	Responsible person at the educational establishment attended
Self Employed	Anyone over 18, knows the voter and is qualified to vote at the election concerned

Attestation is not required from Registered Blind people or those who receive the higher rate of the disability living allowance, due to physical incapacity.

- Applications for a “particular” election require:
 - Date of birth & specimen signature
 - A reason, but
 - No attestation

The deadline for the receipt of proxy voting application forms will be **5pm on Wednesday 25 April 2012**.

There is now a facility for ‘Medical Emergency’ proxy applications, which will allow applications to be submitted up to 5pm on polling day. However, it must be stressed that this facility is only available to voters who become physically incapacitated **after** 5pm on Wednesday 25 April 2012. Applications will require attestation.

6. REGISTERS

Prospective candidates are entitled to **one** free copy of the full electoral register for the ward that they intend to contest. The register can be supplied as printed copy or in data form (CSV format). CSV format can be read or modified using a spreadsheet or database application such as Excel or Access. CSV files can also be used to mail merge, producing lists, letters and labels.

Please advise what format of register you require by completing the form included in the nomination pack. The register will be supplied in data format unless a paper copy is specifically requested.

It is important to note that a number of legal restrictions apply to the use of information in the full register. You must not:

- Pass on a copy of the register to any other person
- Disclose any information from the register (which is not contained in the edited version)
- Make use of any information from the register, other than for electoral purposes

You may only use the full register for electoral purposes.

The full Register is no longer available for general sale.

The Register of Electors to be used for this election will be the one published on the 1 December 2011, subject to amendments made under the rolling registration updating procedures.

The last day for the receipt of application forms for registering to vote at this election is **Wednesday 18 April 2012**.

7. TIMETABLE

Please refer to enclosed Timetable.

8. POLLING STATIONS

A provisional list of polling stations is included in this pack.

Polling hours for this election will be from 7am to 10pm

Polling Station Guidance

- Any person in or around the polling station must not attempt to influence or interfere with persons attending the polling station to record their vote.
- Posters supporting a particular candidate, party or point of view concerning the election must not be displayed on the premises or within the grounds of the polling station.

Tellers

- Should not influence the way someone should vote
- Must be out of sight & earshot of what is going on in the polling station
- May collect voters electoral numbers on the way into the polling station
- Cannot hand out leaflets within the polling station, building or precincts
- May wear conventionally sized rosettes in party colours bearing the name of party or candidate

9. VERIFICATION AND COUNTING OF BALLOT PAPERS

Candidates, the Candidate's guest or companion, Election Agent and nominated observers may attend the Verification and Counting of Ballot Papers. Further details regarding attendance at the Verification and Count will be issued after Wednesday 11 April 2012 – including forms for nominating observers (deadline for appointing Election Agents). Nominations to attend the count will need to be made to the returning officer by Thursday 26 April 2012.

For reason of security admission to the verification and count will be strictly controlled.

What does a Verification or Counting Agent do?

The main role of verification or counting agents is to oversee the process on behalf of the candidate and to make sure that it is undertaken in an orderly, accurate and correct manner.

Venue

The Verification and Count for the City Council Election will start as soon as possible after polling stations have closed. Dependent on certain conditions being met the new Plymouth Life Centre may be used as the venue for the 2012 Verification and Count. However, as a contingency the Plymouth Guildhall has also been booked.

Verification of ballot papers

The purpose of the verification is to check that the number of ballot papers in the ballot box accords with the number of ballot papers issued by the Presiding Officer at the polling station.

The postal voter's ballot box is also checked at this stage. At the end of the verification stage the total number of ballot papers to be entered into the count will be known, following this the overall turnout for the ward.

Election Agents will be advised of the relevant totals at the end of the Verification stage.

COUNT MANAGEMENT

A Count Supervisor will be responsible for a particular ward and a team of 6 –9 counting assistants. Overall responsibility for the count proceedings in each of the three count areas will be a Floor Manager and Assistant Floor Manager.

The Floor Manager will adjudicate on the 'spoilt' ballot papers and advise Election Agents as to the result of the poll, within the count location.

A Count Liaison Officer will take a copy of the result to the Returning Officer in the Results area where he will, as Returning Officer, be making a Central Declaration of all results.

Following the Returning Officers' declaration all results will be posted in the Results area:

- Electronically projected onto a screen, and
- Manually entered on notice boards

The results will also be published on the City Council website on the night of the count.

The count is divided into various stages:

Separation of votes between candidates

This involves separating the verified ballot papers into votes cast for particular candidates. This is the point at which agents may object to any ballot paper that they consider may be questionable. Towards the end of this Stage the Floor Manager will make a decision on the questionable ballot papers.

At an appropriate time the Election Agents will be invited to view the 'queried' ballot papers.

Counting of ballot papers

This is the actual counting of ballot papers. Ballot papers will be clipped into 25s/100s and laid out for Election Agents to observe the totals.

Declaration of Result

When the result is known the Floor Manager will advise the Election Agents. Candidates and Election Agents will then proceed to the Results area where the Returning Officer will declare the result.

Secrecy requirements

All persons attending a verification/count will be subject to the count secrecy requirements and will be issued with the usual 'notification of the requirements of secrecy', as required under the Representation of the People Act 1983.

It should also be noted that the use of mobile telephones in the count areas will be strictly prohibited and if used may constitute a breach of the secrecy requirements under the Representation of the People Act 1983. If any candidate, agent or media representative brings one with them, it **must** be switched off (applies to all count areas). Anyone in possession of a mobile telephone, which rings, may be requested to leave the count!

Remember, it is an offence to communicate to anyone outside the count, details of what is happening within it. Any such breach will be treated seriously.

Equality of votes

If, after a re-count the result is tied between two or more candidates the Returning Officer must decide between the candidates by 'lot' as soon as possible. Whichever candidate wins the lot receives an additional vote that enables them to be declared elected.

Provisional arrangements for the local elections count is as follows:

- Count Area 1: Devonport, Eggbuckland, Ham, Honicknowle, Moor View, Peverell, Plymstock Dunstone, Plymstock Radford, St. Budeaux and Stoke wards
- Count Area 2: Budshead, Efford & Lipson, Plympton Erle, Plympton St. Mary and Southway wards
- Count Area 3: Compton, Plympton Chaddlewood, St. Peter & the Waterfront and Sutton & Mount Gould wards

Although unlikely this configuration is subject to change and may be increased to 4 count areas.

Further details regarding the verification and count arrangements will be sent to Election Agents and Candidates after the nominations period.

10. OPENING AND VERIFICATION OF POSTAL BALLOT PAPERS

You will be offered the opportunity to appoint one or more representatives to attend the opening of postal ballot papers. It is usual practice for the Candidate and Election Agent (or other nominated representative) to attend the proceedings.

Basically the verification of postal ballot papers consists of:

- Checking that the signature on the Postal Voting Statement is bona-fide and the date of birth provided is correct;
- That the number printed on the Postal Voting Statement matches the number printed on the ballot paper envelope lettered A;
- The ballot paper envelope is then opened and the number printed on the ballot paper will be checked against the number printed on the ballot paper envelope lettered A;
- Finally the ballot papers will be counted (at this stage - not the actual votes cast) and the total recorded.

It must be stressed that all ballot papers must be verified 'face down' at these proceedings.

The usual ballot secrecy rules will be strictly enforced.

The requirement to check signatures and dates of birth is relatively new and although this process will be semi-automated it is expected to take much longer than has been experienced at previous elections.

Therefore, postal voter's ballot papers will be opened and verified on a daily basis for all wards – please refer to timetable. Further details will be provided to the Election Agents after the 11 April 2012.

11. LIMIT ON CANDIDATES ELECTION EXPENSES FOR THE CITY COUNCIL ELECTIONS

Election expenses are expenses incurred on goods, services, property or facilities used for the purpose of your election.

Limits on candidate's election expenditure are calculated as follows:

- A basic allowance - £600, plus
- 5 pence for every entry in the Register

The register electorate used for calculating election expenses is that which will be effective on the 1 March 2012.

Provisional notification of expenditure limits is included in this pack. Please bear in mind that this is provisional. Candidates or Election Agents will be advised of the final amounts, after 11 April 2012. The difference between now and March should be minimal.

It is important to note that election expense returns relate to permitted spending limits. As such, this does not mean that payments can be claimed back. Furthermore, even if no election expenditure is incurred, a 'NIL' return and declaration must still be submitted.

A return of election expenses, together with a declaration by the election agent and a declaration by the candidate must be delivered to the Returning Officer not later than **Friday 8 June 2012**. Remember – receipts are required for amounts above £20.

Candidates and election agents not complying with this statutory requirement will be reported directly to the electoral commission and to police for investigation.

Further information can be viewed on the electoral commission website: -

www.electoralcommission.org.uk

12. USE OF ROOMS FOR PUBLIC MEETINGS

You are entitled to use certain kinds of rooms free of charge to hold public meetings at reasonable times between Tuesday 27 March and Wednesday 2 May. Although there is no hire charge, you must pay for items such as heating, lighting and cleaning.

Further details can be obtained from the Electoral Services website: www.plymouth.gov.uk.

13. CAMPAIGN MATERIAL

Your campaign material is subject to a number of restrictions under electoral law, as well as the general restrictions imposed by civil and criminal law.

Imprint

All posters, placards and bills that make reference to the election must carry an imprint giving the full name and full postal address of the printer and promoter of the material on its face. Similarly, all printed material distributed for the purpose of promoting or procuring the election of a candidate must also carry the imprint.

Display of advertisements

The display of all advertising is controlled by the Town and Country Planning (Control of Advertisements) Regulations 1992, and you should ensure that all your election material including bills, placards and posters, comply with the relevant requirements. In particular, remember that no advert should be displayed without the permission of the owner of the site or anyone else with an interest in the site.

No advertisements or posters should be placed on City Council owned property. This includes lampposts. The council reserves the right to charge the candidate or election agent, if removal is necessary and could, in fact, consider prosecution.

14. ACCEPTANCE OF OFFICE

A person elected to the office of Councillor must positively accept office by making a declaration of acceptance of that office within two months of election. If the candidate does not do so, the office becomes vacant. The person elected cannot act as a councillor until this declaration has been made.

The Democratic Support Team will be in contact with all successful candidates at the appropriate time.

15. ORDNANCE SURVEY ELECTIONS MAP WEBSITE

This site is recommended for the use of elected representatives, candidates, election agents and political party workers. It is provided by Ordnance Survey and provides the most accurate and up-to-date geographical data.

Users can select from a variety of administrative and electoral boundaries that can be overlaid on the mapping.

Candidates and Election Agents may want to consider using it for canvassing purposes?

Website address: www.election-maps.co.uk

16. CONCLUSION

I hope that these notes will be useful to you during the course of this election. However, with regard to the law, I must point out that the onus is on the Candidate and Election Agent to ensure

that they comply with all the statutory requirements and I would refer those new to this field to Schofields “Election Law” or Parkers “Law and Conduct of Elections”.

Notwithstanding this disclaimer if you are in any doubt please contact the Electoral Services Team.

**Issued by: The Returning Officer, Plymouth City Council, Civic Centre, Plymouth,
PL1 2AA**

Dated: 25 January 2012